



PATENT  
Docket No. DUR01-NP003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	Group Art Unit:	1646
	:		
During, Matthew	:	Examiner:	Olga Chernyshev
	:		
Serial No.: 09,939,472	:	<b>TRANSMITTAL OF INFORMATION</b>	
	:	<b>DISCLOSURE STATEMENT WITHIN</b>	
Filed: August 24, 2001	:	<b>THREE MONTHS OF FILING OR</b>	
	:	<b>BEFORE MAILING OF FIRST OFFICE</b>	
Title: "Novel Peptide With Effects on Cerebral Health"	:	<b>ACTION (37 CFR 1.97(b))</b>	
	:		
	:		
	:		

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JUN 25 2002

TECH CENTER 1600/2900

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or before the mailing date of a first Office Action on the merits, whichever event occurs last. No additional fee is required.

Respectfully submitted,

Tong Li  
Patent Agent  
Thomas Jefferson University  
1020 Walnut Street – 6<sup>th</sup> Floor  
Philadelphia, PA 19103-2793

Date: June 18, 2002  
Registration No: 47,748  
Phone No: 215 503-0757

CERTIFICATE OF MAILING

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Date: June 18, 2002

  
Janyce Lingo



PATENT  
Docket No.: DUR01-NP003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :  
DURING, Matthew : Group Art Unit: 1646  
: :  
: : Examiner: Olga Chernyshev  
: :  
Serial No.: 09/939,472 : **INFORMATION**  
: **DISCLOSURE**  
Filed: August 24, 2001 : **STATEMENT**  
: :  
Title: "Novel Peptide With Effects on :  
Cerebral Health" :  
: :  
: :

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

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Dear Sir:

List Of Sections Forming Part Of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure  
Statement:

1. Preliminary Statements
2. Form PTO - 1449 (Modified)
3. Copies of Listed Information Items Accompanying This Statement
4. Identification of Person(s) Making This Information Disclosure

Statement

Section 1. Preliminary Statements

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR 1.56(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

6-15-02

Gp/1646

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	09/939,472	
	<b>Filing Date</b>	August 24, 2001	
	<b>First Named Inventor</b>	DURING, Matthew	
	<b>Group Art Unit</b>	1646	
	<b>Examiner Name</b>	Olga Chernyshev	
<b>Total Number of Pages in This Submission</b>	466	<b>Attorney Docket Number</b>	DUR01-NP003

ENCLOSURES <i>(check all that apply)</i>		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
Remarks		<b>RECEIVED</b>  JUN 25 2002  TECH CENTER 1600/2900

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	TONG LI
Signature	
Date	June 18, 2002

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Typed or printed name	Janyce Lingo
Signature	
Date	June 18, 2002

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U.S. Serial No. 09/939,472

Attorney Docket No. DUR01-NP003

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06/26/02



**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

In re the Application of:  
DURING, Matthew

Serial No.: 09/939,472

Art Unit: 1646

Filed: August 24, 2001

Examiner: Olga Chernyshev

For: "Novel Peptide with Effects on Cerebral Health"

Assistant Commissioner for Patents  
Washington, D.C. 20231

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Dear Sir:

TECH CENTER 1600/2900

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

(XX) In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required.

( ) In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ( ) the first or ( ) second After Final Submission, therefore:

( ) Certification in Accordance with §1.97(e) is attached; or

- ☐ The fee of **\$180** as set forth in §1.17(p) is attached.
- ☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, therefore:
  - ☐ Certification in Accordance with §1.97(e) is attached; or
  - ☐ The fee of **\$180** as set forth in §1.17(p) is attached.
- ☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); Petition Requesting Consideration of the Information Disclosure Statement; and the fee of **\$130** as set forth in §1.17(i).
- ☒ copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- ☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:
  - ☐ In view of the voluminous nature of references **[list as appropriate]**, and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
  - ☐ In accordance with §1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. §120 have been made in the instant application:
  - ☐ Copies of references **[list as appropriate]** listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. filed

U.S. Serial No. 09/939,472

Attorney Docket No. **DUR01-NP003**

(     ) If any of the foregoing publications are not available tot he  
Examiner, Applicant will endeavor to supply copies at the  
Examiner's request.

Please charge any deficiency or credit any overpayment to Deposit  
Account No. **50-0491**. This form is submitted in triplicate.

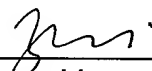
There are no listed references which are not in the English language.

Respectfully submitted,

Matthew During

6/18/2002  
Date June 18, 2002

**BY:**

  
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Registration No. 47,748

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Substitute Form 1449B/PTO		<b>Information Disclosure Statement by Applicant</b> (use as many sheets as necessary)		<b>Complete if Known</b>	
Application Number		09/939,472			
Filing Date		August 24, 2001			
First Named Inventor		DURING, Matthew			
Group Art Unit		1646			
Examiner Name		Olga Chernysh v			
Attorney Docket Number		DUR01-NP003			

## OTHER PRIOR ART " NON PATENT LITERATURE DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue	T <sup>2</sup>
	AA	ALVAREZ, E., RONCERO, I., CHOWEN, J., THORENS, B., & BLAZQUEZ, E. "Expression of the Glucagon-like Peptide-1 Receptor Gene in Rat Brain" <i>J Neurochem</i> 1996, pp. 920-927, 66 (3).	
	AB	BUTEAU, J., RODUIT R., SUSINI, S., & PRENTKI, M. "Glucagon-like Peptide-1 Promotes DNA Synthesis, Activates Phosphatidylinositol 3-kinase and increases Transcription Factor Pancreatic and Duodenal Homeobox Gene 1 (PDX-1) DNA-binding Activity in beta (INS-1) Cells." <i>Diabetologia</i> 1999, pp. 856-864, 42.	
	AC	CHOWEN, J., DEFONSECA, R., ALVAREZ, E., NAVARRO, M., GARCIA-SEGURA, L., & BLAZQUEZ, E. "Increased Glucagon-like Peptide-1 Receptor Expression in Glia After Mechanical Lesion of the Rat Brain" <i>Neuropeptides</i> 1999, pp. 212-215, 33 (3).	
	AD	DRUCKER, D., PHILIPPE, J., MOJSOV, S., CHICK, W., & HABENER J. "Glucagon-like Peptide I Stimulates Insulin Gene Expression and Increases Cyclic AMP Levels in a Rat Islet Cell Line." <i>Proc. Natl. Acad. Sci. USA</i> 1987, pp. 3434-3438, 84 (May).	
	AE	GALLWITZ, B., ROPETER T., MORYS-WORTMANN, C., MENTLEIN, R., SIEGEL, E., SCHMIDT, W. "GLP-1 Analogues Resistant to Degradation by Dipeptidyl-Peptidase IV in Vitro." <i>Regulatory Peptides</i> 2000, pp. 103-111, 86.	
	AF	JIN, S., HAN, V., SIMMONS, J., TOWLE, A., LAUDER, J., & LUND, P. "Distribution of Glucagonlike Peptide I (GLP-I) Glucagon and Glicentin in the Rat Brain: An Immunocytochemical Study." 1988, pp. 519-532, 271 (4).	
	AG	MERCHENTHALER, I., LANE, M., & SHUGHRUE, P. "Distribution of Pre-Pro-Glucagon and Glucagon-Like Peptide-1 Receptor Messenger RNA's in the Rat Central Nervous System." <i>J Comp Neurol</i> 1999, pp. 261-280, 403.	
	AH	SCHROCCCHI, L., BROWN, T., MACLUSKY, N., BRUBAKER, P., AUERBACH, A., JOYNER, A., & DRUCKER D. "Glucose Intolerance but Normal Satiety in Mice with a Null Mutation in the Glucagon-like Peptide 1 Receptor Gene." 1996, pp. 1254-1258, Jan 11, 403 (2).	
	AI	STOFFERS, D., KIEFFER, T., HUSSAIN, M., DRUCKER, D., BONNER-WEIR, S., HABENER, J., & EGAN, J. "Insulinotropic Glucagon-like Peptide 1 Agonists Stimulate Expression of Homeodomain Protein IDX-1 and Increase Islet Size in Mouse Pancreas." <i>Diabetes</i> 2000, pp. 741-748, 49 (5) May.	
	AJ	TSENG, C., ZHANG, X., & WOLFE, M. "Effect of GIP and GLP-1 Antagonists on Insulin Release in the Rat." <i>Am J. Physiol</i> 1999, pp. E1049-1054, 49 (5) May.	
	AK	TURTON M., O'SHEA, D., GUNN, I., BEAK, S., EDWARDS, C., MEERAN, K., CHOI, S., TAYLOR, G., HEATH, M., LAMBERT, P., WILDING, J., SMITH, D., GHATEI, M., HERBERT, J., & BLOOM, S. "A Role for Glucagon-like Peptide-1 in the Central Regulation of Feeding." <i>Nature</i> 1996, pp. 69-72, 379, Jan 4.	
	AL	WHEELER, M., LU, M., DILLON, J., LENG, X., CHEN, C., & BOYD, A. "Functional Expression of the Rat Glucagon-like Peptide-1 Receptor, Evidence for Coupling to Both Adenylyl Cyclase and Phospholipase-C*." <i>Endocrinology</i> 1993, pp. 57-62, 133 (1) Jul.	
	AM	ZHOU, J., WANG, X., PINEYRO, M., & EGAN, J. "Glucagon-like Peptide 1 and Exendin-4 Convert Pancreatic AR42J Cells into Glucagon-and-Insulin-Producing Cells." <i>Diabetes</i> 1999, pp. 2358-2366, 48 (12) Dec.	

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Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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